

08-10-05

IFW

**Certificate of Mailing by EXPRESS MAIL  
under 37 CFR 1.10**

**In re:**

Application No.	:	10/611,622	Confirmation No. 1376
Applicant	:	ATSUO YAMADA et al.	
Filing Date	:	June 30, 2003	
TC/A.U.	:	1745	
Examiner	:	Weiner, Laura S.	
Title:	:	Positive electrode active material, non-aqueous electrolyte secondary battery and method for producing positive electrode active material	

I hereby certify that the following documents:

**Amendment Transmittal Form (1 pg); Amendment and Response to  
05/16/2005 Office Action (2 pgs); Return Receipt Postcard**

are being deposited with the United States Postal as "Express Mail Post Office to Addressee" and addressed to:

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

On August 9, 2005  
Date

Connie A. Mills

Signature

Connie A. Mills

Typed or printed name of person signing Certificate

EV 704034162 US  
**EXPRESS MAIL NO.**

Note: Each paper must have its own certificate of mailing by Express Mail, or this certificate must identify each submitted paper.



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/611,622	
	<b>Filing Date</b>	06/30/2003	
	<b>First Named Inventor</b>	YAMADA, Atsuo	
	<b>Group Art Unit</b>	1745	
	<b>Examiner Name</b>	WEINER, Laura S.	
<b>Total Number of Pages in This Submission</b>	4	<b>Attorney Docket Number</b>	09793822.0191

**ENCLOSURES** (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawings	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Certificate of Express Mailing Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<b>Remarks</b>	<b>The Commissioner is hereby authorized to charge any required fees associated with this communication or credit any overpayment to Deposit Account No. 19-3140.</b>
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		

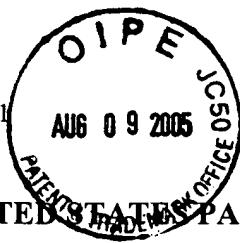
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual Name</b>	SONNENSCHN NATH & ROSENTHAL LLP (CUSTOMER # 26263) By Lara Dickey Lewis, Reg. No. 48,161
<b>Signature</b>	<i>Lara Dickey Lewis</i>
<b>Date</b>	08/09/2005

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," under 37 CFR 1.10, and addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (Express Mail # EV 704034162 US ) on this date:		08/09/2005
<b>Typed or printed name</b>	Connie A. Mills	
<b>Signature</b>	<i>Connie A. Mills</i>	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/611,622 Confirmation No. 1376  
Applicant : ATSUO YAMADA et al.  
Filing Date : June 30, 2003  
TC/A.U. : 1745  
Examiner : Weiner, Laura S.  
Title : Positive electrode active material, non-aqueous electrolyte  
secondary battery and method for producing positive  
electrode active material

Docket No. : 09793822.0191  
Customer Number : 26263

---

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**AMENDMENT AND RESPONSE TO MAY 16, 2005 OFFICE ACTION**

Responsive to the Office Action dated May 18, 2005, Applicant respectfully requests  
entry of the following amendment:

**Remarks/Arguments** begin on page 2 of this paper.